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Attorneys for Defendant biolitec, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TYCO HEALTHCARE GROUP LP d/b/a
VNUS MEDICAL TECHNOLOGIES,

Plaintiff,

vs.

BIOLITEC, INC., DORNIER MEDTECH
AMERICA, INC., and NEW STAR
LASERS, INC. d/b/a COOLTOUCH, INC.

Defendants.

Case No. C08-03129 MMC

**ORDER APPROVING
STIPULATION AND ~~PROPOSED~~
ORDER TO PERMIT COUNSEL TO
APPEAR BY TELEPHONE AT FURTHER
STATUS CONFERENCE SET FOR
FEBRUARY 18, 2011**

(Civil Local Rule 7-12)

TYCO HEALTHCARE GROUP LP d/b/a
VNUS MEDICAL TECHNOLOGIES,

Plaintiff,

vs.

TOTAL VEIN SOLUTIONS, LLC. d/b/a
TOTAL VEIN SYSTEMS,

Defendants.

Case No. C08-04234 MMC

(consolidated with Case No. C08-03129 MMC)

1 WHEREAS a status conference in this case is scheduled to take place on February 18,
2 2011 at 10:30 AM.

3 WHEREAS lead counsel for the various defendants live and practice in various cities
4 across the country. Lead trial counsel for defendant biolitec, Inc. ("biolitec") live and practice in
5 Boston, Massachusetts. Lead trial counsel for defendant Total Vein Solutions, LLC d/b/a Total
6 Vein Systems ("TVS") live and practice in La Jolla/San Diego, California.

7
8 WHEREAS no motions are set for argument at the February 18 conference, and counsel
9 believe the conference will be relatively brief and will relate primarily to procedural matters such
10 as case management following the December 8, 2010 jury verdict;

11 WHEREAS counsel believe the benefit of a personal appearance at the conference is
12 outweighed by the significant expense to each of the defendants for their respective counsel to
13 travel to San Francisco from the various cities in which each attorney practices; and

14
15 WHEREAS plaintiff Tyco Healthcare Group LP d/b/a VNUS Medical Technologies
16 ("VNUS"), by and through its counsel of record, have agreed to the request by defense counsel to
17 appear by telephone.

18 NOW THEREFORE, the parties, by and through their respective counsel of record,
19 hereby stipulate, agree, and jointly apply to the Court for an Order in the above-entitled action
20 permitting all counsel to appear telephonically at the February 18, 2011 status conference.
21

22
23 Dated: February 3, 2011

Respectfully submitted,

24 ATTORNEYS FOR DEFENDANT
25 BIOLITEC, INC.

26 By: /s/ Michael N. Rader
27 Michael N. Rader (pro hac vice)
28 Charles T. Steenburg (pro hac vice)
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TOTAL VEIN SYSTEMS

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ATTORNEYS FOR PLAINTIFF
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Pursuant to General Order No. 45, I hereby attest that I have concurrence to file this stipulation from all parties whose signatures are indicated by a “conformed” signature (/s/) within this e-filed document.

/s/ Michael N. Rader

Michael N. Rader

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 7, 2011


HON. MAXINE M. CHESNEY
United States District Judge

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